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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

DENISE GARRETT,

Plaintiff,

vs.

PROVIDENT LIFE AND CASUALTY
INSURANCE COMPANY, n/k/a UNUM
PROVIDENT, INC.; JOHN DOES 1-5;
and ABC CORPORATIONS 1-5,

Defendants

Case No. 11-cv-133 (RRM-JO)

**DECLARATION OF PETER J. HECK, ESQ.
IN OPPOSITION TO DEFENDANT'S
MOTION *IN LIMINE* TO PRECLUDE
TESTIMONY AND/OR TO LIMIT
DOCUMENTARY EVIDENCE AT TRIAL**

I, Peter J. Heck, under penalty of perjury, declare as follows:

1. I am an attorney-at-law admitted to the State of New York and of counsel to Niedweske Barber LLC, counsel for Plaintiff, Denise Garrett ("Ms. Garrett"), in the above-captioned matter. I have first-hand knowledge of the facts and circumstances set forth herein and submit this declaration in opposition to Defendant, Provident Life and Casualty Insurance Company's ("Provident Life") *in limine* motion.

2. Attached hereto as Exhibit A is a true and complete copy of the Regulatory Settlement Agreement entered into *In the Matter of Unum Life Insurance Company of America* (<https://www.maine.gov/pfp/insurance/publications>, last visited on January 15, 2021).

3. Attached hereto as Exhibit B is a true and complete copy of the relevant portions of Provident Life's discovery responses.

4. Attached hereto as Exhibit C is a true and complete copy of medical records concerning the treatment of Ms. Garrett between December 17, 2004 and December 18, 2011.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed January 15, 2021, at Morristown, New Jersey.

By: /s Peter J. Heck

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